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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR        | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|-----------------------------|---------------------|------------------|
| 10/635,252  | 08/06/2003  | Thomas B. Zingale           | 17209-324           | 9453             |
| 54205 7590 06/09/2011<br>CHADBOURNE & PARKE LLP<br>30 ROCKEFELLER PLAZA<br>NEW YORK, NY 10112 |             |                             |                     |                  |
| EXAMINER<br>AUGUSTINE, NICHOLAS   |             |                             |                     |                  |
| ART UNIT<br>2179  |             | PAPER NUMBER                |                     |                  |
| NOTIFICATION DATE<br>06/09/2011   |             | DELIVERY MODE<br>ELECTRONIC |                     |                  |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

Patents@chadbourne.com

# Office Action Summary

**Application No.**

10/635,252

**Applicant(s)**

ZINGALE ET AL.

**Examiner**

NICHOLAS AUGUSTINE

**Art Unit**

2179

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 April 2011.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 13, 15-22 and 24-38 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 13, 15-22 and 24-38 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-940)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB-08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

- A. This action is in response to the following communications: Request for Continued Examination filed 04/07/2011.
- B. Claims 13,15-22 and 24-38 remains pending.

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**Continued Examination Under 37 CFR 1.114**

- C. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 04/07/2011 has been entered.

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***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 13, 15-22 and 24-38 are rejected under 35 U.S.C. 102(e) as being anticipated by Rivette et al (US Pat. 6,499,026), herein referred to as "Rivette".

As for claims 13, 22 and 31, Rivette teaches a processor-implemented method and corresponding computer-readable medium storing processor-executable process steps and apparatus to manage corporate entities, process steps and apparatus comprising : generating a user interface including a plurality of user selectable corporate entities and a user selectable corporate information category tab (col.116, lines 65-67; col.117, lines 1-10 and 30-40); retrieving via a processor, corporate information of the user selected corporate entity, wherein the corporate information includes at least ownership information, legal documents information and contact information relating to each corporate entity (col.16,lines 52-60; col.21, lines 14-26; col.22,lines 50-62); determining a plurality of corporate entities having ownership relationships with the user selected corporate entity based on the retrieved corporate information (col.16, lines 39-67; col.17,lines 1-10); presenting a tiered selectable corporate ownership structure including the determined plurality of corporate entities showing ownership relationships and user selectable corporate information category tab based on the retrieved corporate information (col.16, lines 39-67; col.17,lines 1-10; col.27,lines 53-65; col.34,lines 56-67; col.35,lines 49-51; col.39,lines 35-54), wherein a first one of the plurality of corporate entities is at least a partial owner of a second one of the plurality of corporate entities and is graphically presented as being organizationally upstream from the second one of the plurality of corporate entities

(col.35,lines 29-61; col.72,lines 20-67; col.79,lines 9-40; col.80,lines 44-67; col.81, lines 1-2, 23-26, 44-67; col.82,lines 1-8),

wherein a third one of the plurality of corporate entities is at least partial owned by a fourth one of the plurality of entities and is graphically presented as being organizationally downstream from the fourth one of the plurality of entities (col.35,lines 29-61; col.72,lines 20-67; col.79,lines 9-40; col.80,lines 44-67; col.81, lines 1-2, 23-26, 44-67; col.82,lines 1-8), and

wherein each of the plurality of corporate entities is shareholder-owned owned by one or more shareholders of the corporate entity (col.102, line 20 - col.103,line 63; "business customer");

receiving a selection of the second corporate entity; receiving a selection of one of the plurality of selectable elements (col.72,lines 20-67; col.73,lines 18-63);

determining information corresponding to the one selected element and relating to the selected second corporate entity based on the accessed corporate information (col.73,lines 28-49); and

presenting the determined information to a user (col.73,lines 50-63; col.79,lines 41-51).

As for claims 15, 24 and 32, Rivette teaches a method according to Claim 13, wherein the determined information comprises one or more of:

information relating to a formation of the second corporate entity; a location of corporate documents relating to the second corporate entity; contact information relating to the

second corporate entity; ownership information relating to the second corporate entity; information relating to regulators of the second corporate entity; information relating to officers of the second corporate entity; information relating to jurisdictions in which the second corporate entity is qualified to do business; information relating to reports filed or to be filed on behalf of the second corporate entity; controllers information relating to the second corporate entity; and funds information relating to the second corporate entity (col.27,lines 53-65; col.34,lines 56-67; col.35,lines 49-51; col.39,lines 35-54; col.72,lines 20-67; col.73,lines 18-63).

As for claims 16, 25 and 33, Rivette teaches a method according to Claim 13, further comprising: receiving instructions to generate a document including document information relating to the selected second corporate entity; determining the document information; generating the document; and presenting the document to the user (col.73,lines 18-63).

As for claims 17, 26 and 34, Rivette teaches a method according to Claim 13, further comprising: receiving instructions to edit the determined information (col.36,lines 7-17); determining whether the user is authorized to edit the determined information; and editing the determined information if it is determined that the user is authorized to edit the determined information (col.46,lines 52-67; col.47,lines 1-5).

As for claims 18, 27 and 35, Rivette teaches a method according to Claim 17, further comprising: associating information identifying the user with the edited information (col.72,line 19).

As for claims 19, 28 and 36, Rivette teaches a method according to Claim 17, further comprising: presenting an indication that the determined information is in the process of being edited (col.28,lines 4-8).

As for claims 20 and 29, Rivette teaches a method according to Claim 13, further comprising: associating information identifying a date on which the information was edited with the edited information (col.72,line 14).

As for claims 21, 30 and 37, Rivette teaches a method according to Claim 13, further comprising: receiving a request for an image of a document relating to the selected second corporate entity; and presenting the image to the user (col.72,lines 20-67; col.73,lines 18-63).

As for claims 38, Rivette teaches a processor-implemented method comprising:  
Generating a user interface including a plurality of user selectable corporate entities and a user selectable corporate information category tab (col.116, lines 65-67; col.117, lines 1-10 and 30-40);

Receiving a user selection of a corporate entity via the user interface (col.16,lines 52-60; col.21, lines 14-26; col.22,lines 50-62; col.39, lines 35-54);  
retrieving via a processor, corporate information of the user selected corporate entity, wherein the corporate information comprises one or more of (col.16,lines 52-60; col.21, lines 14-26; col.22,lines 50-62):

*information relating to a formation of the second corporate entity,*  
*a location of corporate documents relating to the second corporate entity,*  
*contact information relating to the second corporate entity,*  
*ownership information relating to the second corporate entity,*  
*information relating to regulators of the second corporate entity,*  
*information relating to officers of the second corporate entity,*  
*information relating to jurisdictions in which the second corporate entity is qualified to do*  
*business information relating to reports filed or to be filed on behalf of the second*  
*corporate entity , controllers information relating to the second corporate entity, and*  
*funds information relating to the second corporate entity;* (col.27,lines 53-65; col.34,lines 56-67; col.35,lines 49-51; col.39,lines 35-54; col.72,lines 20-67; col.73,lines 18-63)  
determining a plurality of corporate entities having ownership relationships with the user selected corporate entity based on the retrieved corporate information (col.16, lines 39-67; col.17,lines 1-10); presenting a tiered selectable corporate ownership structure including the determined plurality of corporate entities showing ownership relationships and user selectable corporate information category tab based on the retrieved corporate information (col.16, lines 39-67; col.17,lines 1-10; col.27,lines 53-65; col.34,lines 56-67;

col.35,lines 49-51; col.39,lines 35-54),*wherein a first one of the plurality of corporate entities is at least a partial owner of a second one of the plurality of corporate entities and is graphically presented as being organizationally upstream from the second one of the plurality of corporate entities* (col.35,lines 29-61; col.72,lines 20-67; col.79,lines 9-40; col.80,lines 44-67; col.81, lines 1-2, 23-26, 44-67; col.82,lines 1-8),  
*wherein a third one of the plurality of corporate entities is at least partial owned by a fourth one of the plurality of entities and is graphically presented as being organizationally downstream from the fourth one of the plurality of entities* (col.35,lines 29-61; col.72,lines 20-67; col.79,lines 9-40; col.80,lines 44-67; col.81, lines 1-2, 23-26, 44-67; col.82,lines 1-8), *and wherein each of the plurality of corporate entities is shareholder-owned* (col.102, line 20 - col.103,line 63; "business customer"); *receiving a selection of the second corporate entity; receiving a selection of the user selectable corporate information category tab* (col.16,lines 65-67; col.17, lines 1-10, 30-40; col.72,lines 20-67; col.73,lines 18-63); *retrieving a category of corporate information corresponding to the one selected corporate information category tab and relating to the selected second corporate entity based on the retrieved corporate information; and presenting the retrieved information to a user* (col.73,lines 50-63; col.79,lines 41-51).

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**(Note:)** It is noted that any citation to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. In

re Heck, 699 F.2d 1331, 1332-33, 216 USPQ 1038, 1039 (Fed. Cir. 1983) (quoting In re Lemelson, 397 F.2d 1006,1009, 158 USPQ 275, 277 (CCPA 1968)).

### ***Response to Arguments***

Applicant's arguments filed 04/07/2011 have been fully considered but they are not persuasive.

A1. Applicant argues that Rivette does not teach "*presenting a tiered selectable corporate ownership structure including the determined plurality of corporate entities showing ownership relationships and user selectable corporate information category tab based on the retrieved corporate information; wherein a first one of the plurality of corporate entities is at least a partial owner of a second one of the plurality of corporate entities and is graphically presented as being organizationally upstream from the second one of the plurality of corporate entities and wherein a third one of the plurality of corporate entities is at least partial owned by a fourth one of the plurality of entities and is graphically presented as being organizationally downstream from the fourth one of the plurality of entities*".

R1. Examiner does not agree, Rivette teaches "presenting a tiered selectable corporate ownership structure including the determined plurality of corporate entities showing ownership relationships and user selectable corporate information category tab based on the retrieved corporate information"; in column 16, lines 39-67 and column 17, lines 1-10 it is explained the displaying of a tab which accesses more information from a group, wherein as detailed before a group is a "corporate entity".

Groups can be stored within a database as taught by column 22, lines 50-62. Rivette provides a searching module of the system that is used to search group database in order to displayed requested data by the user as taught by column 27,lines 15-67. Next Rivette implements a grouping module which manages and interacts with the group database, the grouping module receives and processes enterprise server API commands to perform at least the following functions: obtain information on the hierarchy of the groups stored in the group databases, make an existing group a child of another group, unlink a child group from one of its parent groups, update group properties, create a new group as a child of an existing group, etc... as described in column 34,lines 56-67 and column 35, lines 1-61. Finally in column 39,lines 35-54 Rivette explains how this information is displayed to the user, by use of a web client i.e. web browser.

Rivette teaches wherein a first one of the plurality of corporate entities is at least a partial owner of a second one of the plurality of corporate entities and is graphically presented as being organizationally upstream from the second one of the plurality of corporate entities and wherein a third one of the plurality of corporate entities is at least partial owned by a fourth one of the plurality of entities and is graphically presented as being organizationally downstream from the fourth one of the plurality of entities in column 35,lines 29-61, as explained above relating to the hierarchical data of groups in addition to this Rivette explains examples of using the hierarchical information and the presentation of this information in column 72,lines 20-67; column 79,lines 9-40; column

80, lines 44-67; column 81, lines 1-2, 23-26, 44-67 and column 82, lines 1-8. Thus it is true that Rivette teaches the presentation of more than one group "corporate entity" and that these groups can have documents, files, etc... associated with them as well as be hierarchically categorized and displayed for interaction with the user or system modules themselves of the system, it is evident based upon the examples of hierarchical organization of information presented by Rivette that groups can be displayed either upstream or downstream from one another related groups.

**Examiners suggestion:** Further the claim limitation to recite how the information is displayed differently than the prior art for reasons of efficiency of presentation to the end user.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

### ***Inquires***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas Augustine whose telephone number is 571-270-1056 and fax is 571-270-2056. The examiner can normally be reached on Monday - Friday: 9:30am- 5:00pm Eastern.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Nicholas Augustine/  
Examiner  
Art Unit 2179  
June 6, 2011